App F IX 4

Previous References

1952-53
(C-H)

File No 27-52-/

Serial Nos 5 ~~68~~ 97
98,

Later References P-19
C

GENERAL AND REVENUE SECRETARIAT

Serial Nos 4

Part B for June 1953

SUBJECT

Draft Byelaws framed under the city of Bangalore Municipal corporation Act 1949

WD 91425—GPB—25 000—15 9 1952

L 3461-64/ Dated 18 6 1953

The Commissioner, B'lore corporation (thro' Mayor)
" Director of Medical Services,
" Controller S A O
" Auditor B'lore corporation

Approved
[illegible]

Bye laws for the Regulation of private hospitals and nursing Homes

General and Revenue Secretariat

[App F III 2

File No 5564/ad of 1952-53

WD 0144 8—C P 3—40 000—13-7 51

C W 27 52 15

Serial No

From
The Corporation B'lore Corporation
No A1-4/52 53 Dt 9 10 52
Forwards for approval the draft
of the above Bye laws

1) The draft is based on the Bye laws to force in Madras city our Corporation Act also closely follows the Madras Act A Copy of the Madras Bye laws is also sent by the Corpn authorities

2) The Medical Secretary may be the first addressee to Requested to offer his remarks

Sd 28/10

Ros 27/10/52 Secy dcs 3) Perfunctory remarks 28/10/52 Dy Secy

Sec 27/X Secy Home & Rev

2) B Corporation Act as well as Health Act may be sent up

Sd 29/10/52

Asst Secy Med

Cw 29/X

3) what has Bye-laws for the Regulation of private hospitals to do with requisition of Lands in Gadavanahalli village?

Cw 29/X

For remarks Cw 29/X

P C to Home Secy

SECRETARY TO GOVERNMENT NO 10.914 29 OCT 1952 HOME DEPARTMENT

NOTE—Contn Sheet

Draft Bye laws framed under Sec 64 (1) (e) of Bangalore City Municipal Corporation Act 1976

File No 2 of 19 | General and Revenue Secretariat

Serial No 5552

b) The Home Secretary takes a large number of files and papers to his residence every day and disposes of files immediately. The connected reference was by mistake & linked to the file of papers of a different file. The connected papers are now put up and those that do not relate to this file have been removed and sent to the concerned Branch

Sec 29/4/52

c) In the first instance this will be sent to RC/Bs for furnishing a copy of Corporation Act as required at para 4 above

3/XII/52 Com 6/11 Asst Secy (Mun) Gen 7/3 11/11

d) There is no spare copy of the Corporation Act in the Branch to be put up with this file

e) The Act No is LXIX of 1949 and the same may be obtained from the General Records on a Requisition

(f) With the above confirmation this file may be returned to the Medical Branch

Asst Secy Med 12/4/52 11/11 Gen 29/11/52

5564/ml

Draft Bye laws framed under the City of Bangalore Municipal Corporation [App F III 2

General and Revenue Secretariat | File No 3 551 A of 19 | WD 014498—GPB—40,000—13-7 51

555

Serial No

SECRETARY TO GOVERNMENT NO 11732 19 NO

14) Subd with Copies of Public Health Act 1948 of the City of Bangalore Municipal Corporation Act 1949 Ref para 13 above as soon as same are received

15/XII/52 (Rev & Home Secretary)

15) I do not know if the byelaws are legal and it is better that Law Dept is consulted I have to no objection to the byelaws if they are in order There is no need to consult GS now But when the proposed law for controlling private nursing and Town Homes becomes law, the Rules made by Corporation automatically go The proposed legislation may be based on the Bombay Act which I have now received

Sd 19/11/52

(Secy Med)

16) The proposed legislation is not received in the Public Section Hence this may be referred either to Med Dn or returned to Mpl Br Ref paras 3, 4 above

17/XII/52

17) Subd The Nursing Homes (Registration & Inspection) Bill is under consideration of Govt Bombay Act has been called for This is not yet received The connected file bearing dy no 5849/52 is linked here

MHS 2/12/52 P Dan 2/12

18) Reminder may be issued where this has not been received

Gen Sec

19) Subd This is not yet received

MHS 9/12/52 9/12

Rev & Home Secretary) Gen Sec

SECRETARY TO GOVERNMENT NO 12509 10 DEC 1952 HOME DEPARTMENT

Sec MM 22/11

NOTE—Contn Sheet

Draft Bye laws framed under the City of Bangalore Corpn Act

File No S-564 — 42291 — LD of 19

General and Revenue Secretariat

Serial No

21) There is no point in starting for the Bombay Act I have no objection to the bye laws proposed

9/12/52 Govt Law

Legs Secy)

22) for fo scrutiny of the draft bye-laws

13/12 13/12

Law Secy)

SECRETARIAT 610 12 DEC 1952 GOVERNMENT DEPARTMENT

Legs

9 Dec

15 DEC 1952

23) Legs

15/12

11/12

Su KNG Mas 16/12/52

SECRETARIAT GENERAL SECTION 16 DEC 1952

24) The draft bye-laws appear to be in order The Administrative secretariat will have to satisfy themselves that the provisions of section 371 of the Act have been properly complied with The provisions of section 373() will also have to be carefully observed to avoid any legal defect

Mas 20 12 52

Law Secy

25) 24/12

Secy Legs)

26) 23/12 24/1

Examine and submit soon

23/12

100 of 26/12

23 DEC 1952

SECRETARY TO GOVERNMENT 1136 24 DEC 1952 LAW DEPARTMENT

5564/mk

Draft bye laws framed under the act of Bhore Municipal Corporation Act

---

27) Sec 371 of the Corporation Act requires prepublication of the final draft of the bye-laws in the official gazette and the local newspapers at least for a month or such longer period as the Corporation may appoint The Council has stated that this has been done The other requisite are keeping the draft at the municipal office for public inspection and making available copies of the drafts for sale Though the Council has not specifically stated so it may be safely assumed that these formalities and have been gone through and the fact that the draft of the bye-laws was processed at one area as provided at the bottom indicates Circumstantial support to this presumption

As regards the observance of the provisions of Sec 373 (1) the suitable corrections will be issued to the Council at the time of communicating approval to the draft bye-laws

28) Subs for orders

Dy 27/12/82 29) Honble Minister from the Commr
Sr 29/12 Whether the requirements of section 371 are complied with

31.1.83

6 5564/Jul 5779/Jul

Dft Bye-laws framed under the Corpn? Act - Regulating private hospitals and dispensaries for treatment of dangerous diseases

30) Dft Letter to the Commr, Blore Corporation ca post cp for approval

Case 28/1/53

Sec 28/1/53

31) Issue 29/1

To Commr Corpn Blore (the Mayor) L 19025/CM27-52-68 dated 3-2-53 Calls for certain informations

Sec A 3/2/53

From The Commr, Blore Corpn No. B1 (4)/52-53 dt 11/16-2-53 Forwards the information called for

32) State that the Requirements of Sec 371 of the Corporation Act have been complied with

33) Submit for orders with Reference to para 29 above

Case 6/3/53

Sec 7/3

34) At para 4 & 5 the Law Secretariat has observed that the bye laws are in order the provisions of Section 371 relate to the publication of the draft bye laws in the Gazette and the local newspapers

CW pl Rcvd hereon 10/3

Recd consolidated A Sch Receipt from the Commr, as directed & compliance with the requirements of Sec 371 is reported

Case 10/3/53

Sec 11/3

8778/Fin Bye laws for the regulation of private Hospitals and Nursing Homes

Vide Statement flagged A therefore the bye laws (Flag B) may be finally approved But, as regards the punishment referred to in the last bye law it is stated that for the first offence, the fine is Rs 50, as in the case of Madras (Flag C) and for the next and subsequent offences the fine will be Rs 10/- as against Rs 100 in Madras The figure Rs 100 is struck off, & the figure Rs 10, is inserted in red ink This does not bear the initials of any officer Therefore, the fine of Rs 100/- for each of the second and subsequent offences may be retained with this modification the bye laws may be approved

14/3

Hon Minister for L S G

(35) Ministers in charge L S G Dept to see'

V Shankaranarayanan PA 18/3

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
MAR 1973
No. 7528

SECRETARY TO GOVT

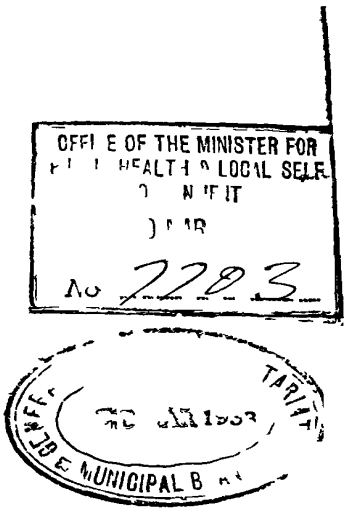
1687781 rc

Bye-laws for the regulation of private Hospitals and Nursing Homes

36) I agree with the A/S The bye-laws may be approved with the modifications suggested

Mun LSS) 19/3 1913

37) 22/3/53 1913



38) The matter of levying fine ~~was again~~ for second and subsequent offences was again verified with reference to Bombay Act Section 369 of the Act reads as follows

In making bye-laws under sections 36) and 368 the Corporation may provide that a breach thereof shall be punishable —

(a) with fine which may extend to Rs 50, and in the case of continuing breach, with fine which may extend to fifteen rupees for every day during which the breach continues after conviction for the first breach,

or

(b) with fine which may extend to ten rupees for every day during which the breach continues after receipt of notice from the Commr to discontinue such

8778
ne

Draft Bye laws for the regulation of private Hospitals and Nursing Homes

9

breach"

39) Therefore, the punishments have been specifically mentioned in the Sections and the bye-laws cannot be different from the provisions of thes, Section Therefore Section 369 (2) will be ~~Repealed as~~ ~~without~~ in Section with Suitable modifications

40) The bye-law No 6 will read as follows after modifications suggested above is incorporated

" Any person found guilty of having violated any of the above bye-laws shall be punishable with a fine of Rs 50/- and in the case of continuing breach, with fine which may be extend to Rs 15/- for every day during the breach continues after conviction for the first breach"

This change may kindly be approved

82/4

Secy (H&F)

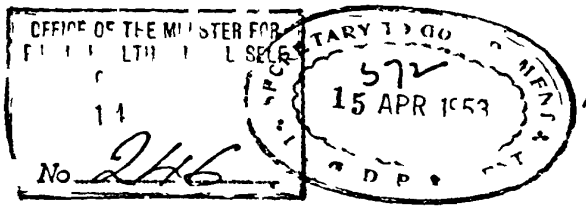
41) The above note has been put up after discussion with me. May be approved

Lt 13/4 Rm 14/4

(Minister HG)

42) Appd JL 15/4/53

43) Lt 15/4 H 1934



163 / LD 10 8778/ml

Bye-laws for the Regulation of Sanitary hospitals and Nursing Homes

43) Draft G.O. & Part-up for approval of the Law Secy may have to peruse before some

Secy 28/4/53

Secy Dept

SECRETARY TO GOVERNMENT 941 24 APR 1953 * L S G DEPARTMENT *

44) 28/4

Law Secy

SECRETARY TO GOVERNMENT APR 28 APR 1953 * LAW DEPARTMENT *

29/4

45) ~~Under s 373, the~~ as per

SECRETARY TO GOVT. ... ATED ... Su K N G 29 APR 1953 ... E I R

under s 373, the bye-laws have to be published. Although it is not specifically mentioned as to who should publish it, it is evident that the authority which makes the bye-laws has to publish it. Since under s 367 it is the corporation that makes bye-laws, it appears that the corporation has to take action to publish these bye-laws with Gazette. A Reading of s 373 with sections 367, 370, 371 and 372 will make this point clear. In this view the last para of the G.O. has to be suitably worded || A

of appd, amendments in the draft may be informed accordingly. Law Sec

Secretary to Government 1715 11 S. 1953 * LAW DEPARTMENT *

Secretary to Govt 1715 19 MAY 1 ... DEPARTMENT

Secy 6/5/53

Rec 6/5

A Take action accordingly

Secy L.S.G. 18/5

18/5

Issued 20/5

Issued 10/6

Bye-laws for regulating Hospitals and Dispensaries

5564 - 8778/52
-01 ML

1

Govt No Ho 3461 64/c no 27-52 98 dated 18 6 53 — approves the bye-laws regulating the private hospitals and dispensaries etc and directs the publication of the laws in official Gazette in Kannada and English

To

(1) The Comr, Corporation, Mcore
(2) Director of Medical Services
(3) Controller, S&D
(4) Solicitor Corporation

Mas be referred to the Medical Branch to take necessary action regarding the Clearance & no 5849 and Return

Ch 7/7/53 (Asst Sy Med) 9/7

8m 7/7 Ch 9/7

The file bearing dy no 5849 is returned with the Med Br & the file returned to the Mun Br 9/7

MG 10/7/53 ML Br)

GENERAL & ... 5564 ... 10 OCT ...

CORPORATION OF THE CITY OF BANGALORE

No A 1 4/52-53

CORPORATION OFFICES
BANGALORE

Dated 9th October *1952*

FROM C K 27 52 15

THE COMMISSIONER
CORPORATION OF THE CITY OF BANGALORE
BANGALORE

52

To
The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore

SIR

Subject DRAFT BYE-LAWS FRAMED UNDER THE CITY OF BANGALORE MUNICIPAL CORPORATION ACT, 1949
Ref YOUR UNOFFICIAL NOTE NO 129 DATED 25-1-1952

I forward herewith for favour of sanction of the Government under section 370 of the City of Bangalore Municipal Corporation Act, 1949, a copy of the bye-laws framed by the Bangalore Corporation under sub-section (28) of section 367 of the Act, for the regulation of private hospitals and nursing homes for the treatment of dangerous diseases of persons in the City of Bangalore

2 The draft bye-laws are based on the bye-laws framed by the Madras Corporation (copy enclosed for reference and return) under sub-sections (25) and (29) of section 349 of the Madras City Municipal Act, 1919, which correspond to sub-sections (28) and (34) of the City of Bangalore Municipal Corporation Act, 1949

3 Necessary corrections have been made in the draft bye-laws as suggested in your un-official note

Forwarded with compliments

(B V Lankappa,)
MAYOR

Yours faithfully,

(B M Abu Baker,)
COMMISSIONER

9/10

TNL/-

CORPORATION OF BANGALORE

~~DRAFT~~ BYE LAWS UNDER SECTION 367 (28) AND(34) read with Section 369 of the City of Bangalore Municipal Corporation Act 1949 (Mysore Act LXIX of 1949) FOR THE REGULATION ~~OF~~ OR PRIVATE HOSPITALS AND NURSING HOMES FOR THE TREATMENT OF DANGEROUS DISEASES OF PERSONS IN THE CITY OF BANGALORE

1 No person shall carry on within the City of Bangalore a private hospital or nursing home for the treatment of any of the dangerous diseases specified in Section 3 (~~21~~ 15(a)) of the City of Bangalore Municipal Corporation Act LXIX of 1949 ~~on~~ in any other dangerous disease which may be notified from time to time by the ~~Local~~ (State) Government under Section 345 of the City of Bangalore Municipal Corporation Act 1949 without obtaining a certificate of registration from the Commissioner City of Bangalore Municipal Corporation

2 The Commissioner may refuse registration of a private hospital or nursing home if he is satisfied —

(a) that by reason of its situation construction accommodation, staffing or equipment the institution is objectionable or

(b) that the institution is not under the charge of a registered medical practitioner or that there is not a proper proportion of qualified nurses employed

3 The certificate of registration must be kept affixed at a conspicuous place in the hospital or home

4 The Commissioner may by an order in writing cancel the registration on any of the grounds which would entitle him to refuse the application for registration

5 The Commissioner Health Officer or any person duly authorized by the Commissioner may enter any private hospital or nursing home at all reasonable times for the inspection of the premises and records

6 Any person found guilty of having violated any of the above bye laws shall be punished with a fine of Rs 50 and in the case of ~~second or subsequent offence~~ a continuing breach with a fine ~~of Rs. not~~ which may extend to Rs 15/ (~~Price one Anna~~) for every day during which the breach continues after conviction for the first breach, or

---

with fine which may extend to Rs 10/ for every day during which the breach continues after receipt of notice from the Council to discontinue such breach

Ex 2-2-14

3671

BY-LAWS UNDER SECTION ~~349~~ (25) AND (29) FOR THE REGULATION OF PRIVATE HOSPITALS AND NURSING HOMES FOR THE TREATMENT OF DANGEROUS DISEASES OF PERSONS IN THE CITY OF ~~MADRAS~~

1 No person shall carry on within the City of ~~Madras~~ Bangalore a private hospital or nursing home for the treatment of any of the dangerous diseases specified in section 3 (~~10~~)(15) (a) of the City ~~Municipal~~ Act ~~IV of 1919~~, or any other dangerous disease which may be notified from time to time by the Provincial Government under section ~~230~~ of the City ~~Municipal Act IV of 1919~~, without obtaining a certificate of registration from the Commissioner, ~~Corporation of Madras~~ City of Bangalore Municipal Corporation

Bangalore municipal regulation — LXIX of 1949 — 345

2 The Commissioner may refuse registration of a private hospital or nursing home if he is satisfied—

(a) that by reason of its situation, construction, accommodation, staffing or equipment, the institution is objectionable, or

(b) that the institution is not under the charge of a registered medical practitioner or that there is not a proper proportion of qualified nurses employed

3 The certificate of registration must be kept affixed at a conspicuous place in the hospital or home

4 The Commissioner may by an order in writing cancel the registration on any of the grounds which would entitle him to refuse the application for registration.

5. The Commissioner, Health Officer, or any person duly authorized by the Commissioner may enter any private hospital or nursing home at all reasonable times for the inspection of the premises and records

6 Any person found guilty of having violated any of the above by laws shall be punished with a fine of Rs 50 and in the case of a second or subsequent offence with a fine of Rs ~~100~~ /0.

R. SUBBAYYA,
Commissioner.

Ripon Buildings, Madras,
1st April 1930.

No 4 DYE-LAWS for the regulation of private hospitals and nursing homes for the treatment of dangerous diseases of persons in the City of Bangalore

1	Date of the Mysore Gazette in which the draft of the proposed byelaw was published by the Corporation	19- 7- 1951
2	Name and date of the respective local newspaper in which the draft of the proposed byelaw was published	Janavani D/- 18-3-50 Daily Post D/- 18-3-50
3	The date on which the draft of the proposed byelaw was further proceeded with by the Corporation after publication	17-11-1951
	The period during which the printed copy was kept at the municipal office for inspection by public with reference to dates	From 18-3-1950
5	Were printed copies of the draft available for sale to persons requiring them	Yes
6	Whether the byelaw is intended to supersede the existing byelaw on the subject and if so, the number and date of the notification under which the existing byelaw was issued	-- No As there are no bye-laws at present on the subject, fresh bye-laws have now been framed
7	Copies of the existing byelaw on the subject may be enclosed in each case with copy of the byelaw framed by the Corporation of Madras, if any	Copy of the Madras Corporation byelaws forwarded with letter No A1(4)/52-53 D/- 6 10 1952

No H 19025 / ~~47-2-68~~

D 372/53

To

The Commissioner
Corporation of the city of
B'lore
(Through the Mayor)

Subject: Draft Bye Laws framed under the City of B'lore Municipal Corporation Act, 1949 for the Regulation of private hospitals and nursing homes for the treatment of dangerous diseases of persons

Sir,

With reference to your letter No A.1 4/52-53 dated 9.10.52 on the above subject I am directed to enquire whether the requirements of Sec 371 of the Corporation Act have been complied with in respect of these Bye-laws

Yours faithfully,

Sd/-
for H S G Sastry

By 28/1/53

G R S App F VI—G 2]

SUBJECT

CORPORATION OF THE CITY OF BANGALORE

No A 1 (4)/52-53

CORPORATION OFFICES
BANGALORE

Dated 11th February 1953

FROM

THE COMMISSIONER,
CORPORATION OF BANGALORE,
BANGALORE 1

To

The Secretary to the Government of Mysore,
Local Self Government and Planning
Departments, Bangalore

SIR,

Subject - Draft bye-laws framed under the City of Bangalore Municipal Corporation Act, 1949, for the regulation of private hospitals and nursing homes for the treatment of dangerous diseases of persons

---

With reference to your letter No L 19025/C M 27-52-58, dated the 3rd February 1953, I write to say that the requirements of section 371 of the Corporation Act have been complied with in respect of the bye-laws referred to above

Forwarded with compliments

(P Hanumanthiah)
Mayor

Yours faithfully,

(K Henjerappa)
Commissioner

G R S App F VI—G 2]

SUBJECT

8 F Copies

Section C M

Serial No 27-52

File No 123 98

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Correspondence ending with letter No A 1 (4)/5252 dated 11/12-2-1953 from the Commissioner, Corporation of the city of B'lore requesting Order thereon—No

Sanction to the Regulations framed under the City of B'lore Municipal Corporation Act providing for the Regulation of private hospitals and dispensaries for treatment of dangerous diseases of persons in the City of Blore

1) *Diary No of letter replied to*

General and Revenue Secretariat

( )

the *195*

Date of issue 195

Signed by

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

8

Order no L 3461-64 | Dt 18-6-53

The Bye laws are approved as appended to this order under Section 370 of the Corporation Act

The Commissioner shall arrange for the immediate publication of these bye laws in the official gazette in English and Kannada as required by Sec 373 of the Act

Govt shall have to publish in the Gazette Section 373 does not say that the same shall be published. Therefore a copy of this, shall be sent to compiler for publication in the Gazette

Dy Sec 28/6

Asst S. G Secy 22/6/53

Dy Secy

SEC

List of Enclosures

To,
1) The Commr Corporation of the City of Bangalore (Through the Mayor)
2) " Senior Surgeon Director of Medical Services Mysore
3) " Controller F & A
4) " Bye laws Corpn of the City of Bangalore

Copy to Medical Board

Copied by

Examined by

22/6/53

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

R e a d :-

Correspondence ending with letter No A1.(4)/52-53 dated the 11/16th February 1953 from the Commissioner, Corporation of the City of Bangalore requesting sanction to the bye-laws framed under the City of Bangalore Municipal Corporation Act providing for the regulation of private hospitals and dispensaries for treatment of cancerous diseases of persons in the City of Bangalore.

ORDER No L.3461-64/CMP2)-52-58

DATED, BANGALORE, The 18/19th June 1953

The bye-laws are approved as appended to this order under section 370 of the Corporation Act

2 The Commissioner will arrange for the immediate publication of these bye-laws in the official Gazette in English and Kannada as required by section 373 of the Act.

(B. Venkataramia)
for Secretary to Government,
L.A., C. & Planning Departments

To

The Commissioner, Corporation of the City of Bangalore,
(through the Mayor)
" Director of Medical Services in Mysore, Bangalore,
" Controller, State Accounts Department, Bangalore,
" Auditor, Corporation of the City of Bangalore

LaS 6.13/6.

10

3461-64/CMP2-52-98

Appendix to Government Order No. L dated 18th June 1952.

Byelaws under section 367(28) and (34) read with section 369 of the City of Bangalore Municipal Corporation Act, 1949 (Mysore Act No.LXIX of 1949) for the regulation of Private Hospitals and nursing homes for the treatment of Dangerous Diseases of persons in the City of Bangalore.

1. No person shall carry on within the City of Bangalore a private hospital or nursing home for the treatment of any of the dangerous diseases specified in section 3 15(a) of the City of Bangalore Municipal Corporation Act LXIX of 1949 or any other dangerous disease which may be notified from time to time by the State Government under section 345 of the City of Bangalore Municipal Corporation Act, 1949, without obtaining a certificate of registration from the Commissioner, City of Bangalore Municipal Corporation

2. The Commissioner may refuse registration of a private hospital or nursing home if he is satisfied:-

(a) that by reason of its situation, construction, accommodation, staffing or equipment, the institution is objectionable, or

(b) that the institution is not under the charge of a registered medical practitioner or that there is not a proper proportion of qualified nurses employed.

3. The certificate of registration must be kept affixed at a conspicuous place in the hospital or home.

4. The Commissioner may by an order in writing cancel the registration on any of the grounds which would entitle him to refuse the application for registration.

5. The Commissioner, ~~xx~~ Health Officer, or any person duly authorised by the Commissioner may enter any private hospital or nursing home at all reasonable times for the inspection of the premises and records.

6. Any person found guilty of having violated any of the above byelaws shall be punished with a fine of Rs.50 and in the case of a continuing breach with a fine which may extend to Rs.15/- for every day during which the breach continues after conviction for the first breach, or

with fine which may extend to Rs.10/- for every day during which the breach continues after receipt of notice from the concerned to discontinue such breach.

Concerned Officer

B. Venkataramiah

(B. Venkataramiah)
for Secretary to Government,
L.S.G. & Planning Departments

L.J 8 13/6.